

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

FILED

APR 13 2017

Clerk, U S District Court
District Of Montana
Missoula

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSHUA STANLEY ROBERTS,

Defendant.

CR 08-01-H-DWM-TJC-2

ORDER

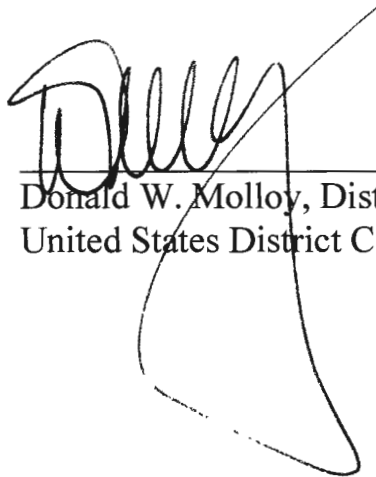
On March 29, 2017, United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendation with respect to the March 1, 2017 petition for revocation of Roberts's supervised release. (Docs. 98, 116.) Although the parties were notified of their right to file objections to the Findings and Recommendation within 14 days, neither party filed objections. Failure to object waives the right to review. Fed. R. Crim. P. 59(b)(2). But consistent with the Court's "full authority" to review the Findings and Recommendations under any standard it deems appropriate, *Thomas v. Arn*, 474 U.S. 140, 154 (1958), the Court reviews for clear error. Clear error exists if the Court is left with a "definite and

firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Although Roberts admitted all of the violations alleged in the petition and Judge Cavan found Roberts in violation, Judge Cavan recommends the Court defer disposition 90 days to allow Roberts to complete a substance abuse treatment program. Those findings and recommendation are adopted in full.

Accordingly, IT IS ORDERED that disposition of this matter is DEFERRED for approximately 90 days. **A final revocation hearing is set for June 29, 2017, at 9:00 a.m. at the Russell Smith Federal Courthouse in Missoula, Montana.**

Dated this 13th day of April, 2017.



Donald W. Molloy, District Judge
United States District Court